


# Exhibit 5

	<b>POLICY TITLE</b>				<b>Employee/Volunteer/Contract Staff Searches</b>	
	<b>CHAPTER</b>	<b>3</b>	<b>POLICY NUMBER</b>	<b>3-16</b>	<b>Page [ PAGE ] of [ NUMPAGES ]</b>	
	<b>FSC EFFECTIVE DATE</b>			<b>FSC SUPERSEDES DATE</b>		
	<b>JULY 28, 2016</b>			<b>APRIL 15, 2000</b>		
<u>SIGNATURE ON FILE AT FACILITY SUPPORT CENTER</u> Kim M. White Executive Vice President, Human Resources  <u>SIGNATURE ON FILE AT FACILITY SUPPORT CENTER</u> Harley G. Lappin Executive Vice President/Chief Corrections Officer  <u>SIGNATURE ON FILE AT FACILITY SUPPORT CENTER</u> Scott Irwin Executive Vice President/General Counsel	<b>FACILITY NAME</b>	<u>JENKINS CORRECTIONAL CENTER (JCC)</u> <u>COFFEE CORRECTIONAL FACILITY (CCF)</u> <u>WHEELER CORRECTIONAL FACILITY (WCF)</u>				
		<b>FACILITY EFFECTIVE DATE</b>		<b>FACILITY SUPERSEDES DATE</b>		
	<b>AUGUST 15, 2016</b>		<u>JENKINSCORRECTIONALCENTER:</u> <u>MARCH 1, 2012</u> <u>CCF &amp; WCF: JULY 17, 2006</u>			

**3-16.1 POLICY:**

Facility security requires use of effective measures to detect and prevent the movement of contraband into, within, and out of facilities. The purpose of this policy is to establish guidelines for when and how searches of persons, personal property, and company property may be conducted. This policy is to be interpreted and applied consistently with and subject to local law and regulations regarding correctional institutions and contraband. **(4-4192)**

**3-16.2 AUTHORITY:**

CoreCivic Company Policy and applicable law

**3-16.3 DEFINITIONS:**

Administrative Duty Officer (ADO) – The designated “on-call” staff member, at the administrative team level, approved by the appropriate Vice President, Facility Operations, assigned to assume the required duties and responsibilities of the Warden/Administrator during non-business hours.

Canine Search – A search conducted with a trained detection canine pursuant to CoreCivic Policy 9-11 Detection Canine Program.

Company Property – All property of any nature owned, leased, managed, or controlled by the Company (i.e. CoreCivic), including facilities, parking lots, lockers (whether or not secured by employees/volunteer/contract staff locks), offices, desks, file cabinets, vehicles, files, computers (including hard drives, internal and external data storage equipment, email system, and software), tool boxes, work areas, and telephones or company-provided cell phones and phone records. Employees/volunteers/contract staff who are assigned a locker will sign the 3-16A Locker Assignment form.

Contraband – Any item not authorized, by facility/company policy or the Warden/Administrator, for possession by an inmate/resident, employee/volunteer/contract staff, or any other person. Contraband also includes any non-authorized item found within the facility or in/on facility property outside the facility; items that are not facility-issued or sold in the commissary/canteen; and any authorized item possessed in quantities greater than those specified in policy or authorized by the Warden/Administrator.

Contract Staff – A person who provides services at the facility on a recurring basis pursuant to a contractual agreement with CoreCivic. Such individuals may include the contractor's employees who manage and operate facility departments such as health and/or food services, construction workers who

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are temporarily working on projects within the facility, medical professionals such as a psychiatrist or medical doctor, contract attorneys, or consultants such as a professional librarian.

Employee – A person employed by CoreCivic in an approved full-time or part-time position that is designated as such in the authorized staffing pattern and interns compensated by CoreCivic.

Strip Search (of an Employee/Volunteer/Contract Staff) – For the purposes of this policy, a strip search is any search that requires the removal of most or all of the clothing of the person being searched.

Frisk Search (of an Employee/Volunteer/Contract Staff) – A complete search of a clothed individual conducted by observation and patting the length of the body, a check of all surface areas for contraband, and a thorough search of clothing, including belts, pockets, collars, cuffs, and waist bands. A Frisk Search might require removal of belts, shoes, socks, jackets, scarves, gloves, hats, or other similar outerwear.

Personal Property – All property in possession or control of or owned by a person, including clothing, computer bags, purses, brief cases, lunch boxes, food/drink items, and vehicles.

Random Search – An unscheduled periodic search of an area or location of a CoreCivic facility and the Company Property and Personal Property within the facility. A Random Search may be random in terms of when it is conducted and/or in terms of the identity of persons/properties searched. A Random Search does not begin with a focus on a particular individual or piece of property.

Reasonable Suspicion – A belief, based on specific objective facts and reasonable inferences drawn from those facts, that a particular person is moving contraband on his/her person or in his/her property. For the purposes of this policy, Reasonable Suspicion may be based on, among other things:

1. Physical symptoms or manifestations that contraband is concealed on a person or in his/her personal property;
2. Direct observation of contraband in the possession or control of a person while at work or on duty;
3. An independently corroborated report provided by a reliable and credible source that a person has contraband or is moving contraband into, around, or out of the facility;
4. Other credible evidence that an employee/volunteer/contract staff has contraband or is moving contraband into, around, or out of the facility;
5. Evidence that an employee/volunteer/contract staff is involved in the use, possession, sale, solicitation or transfer of drugs or other contraband while on duty, in a facility, on facility grounds, or operating a Company vehicle, machinery or piece of equipment; or
6. A detection canine alert indicating that contraband is concealed on a person or in his/her personal property.

Reasonable Suspicion Search – A search of a particular person or his/her Personal Property or Company Property based on reasonable suspicion that the person is in possession of contraband concealed either on his or her person or in his/her property.

Volunteer – For the purpose of this policy, an individual which performs a service(s) to the inmate/resident populations for civic, charitable, religious, or humanitarian reasons without promise, expectation, or receipt of compensation for the service(s) rendered. A volunteer may not be an employee of the facility where his/her services are offered without compensation.

### 3-16.4 PROCEDURES:

#### PROCEDURES INDEX

SECTION	SUBJECT
A	General

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B	Occasions for Searches
C	Notifications and Consent Before Search
D	Refusal to Consent to Search
E	Other Related Issues
F	Outcome of Search
G	Posting

#### A. GENERAL

1. Employees/volunteers/contract staff who are in a facility, entering a facility, or on facility grounds (including perimeter and parking lot) may be searched by authorized representatives or designated agents of the Company as set forth in this Policy. **(4-4192)**
  - a. Routine Frisk Searches of individuals entering/exiting the facility will be conducted in accordance with CoreCivic Policy 9-20 Entry/Exit Procedures or applicable agency policy.
  - b. Unless exigent circumstances prevent doing so, a Shift Supervisor or higher authority should be present before and during a search of personal or Company property conducted as part of a Reasonable Suspicion search.
  - c. Persons conducting Frisk Searches should refrain from contact with any area of the body where contraband could not be concealed, such as an uncovered arm or leg.
  - d. No CoreCivic employee may strip search another employee/volunteer/contract staff without prior approval by the CoreCivic General Counsel (or designee), even if requested to do so by law enforcement personnel. In the event of approval by General Counsel (or designee) the search will be conducted by staff of the same sex as the staff being searched.
2. Company Property and Personal Property brought into a facility, in a facility, or on facility grounds (including perimeter and parking lot) may be searched by authorized representatives or designated agents of the Company as set forth in this Policy. To effectuate a search, the Company may remove any locks placed on any Company Property or unlock and enter or otherwise access any Company Property.
3. All internet and email usage on Company-issued devices, including laptops and cell phones, is subject to Random and Reasonable Suspicion Searches.
4. Electronic communication devices (cell phones, PDA's, pagers, etc.) allowed to enter the facility in accordance with CoreCivic Policy 1-8 Use of Communication Devices, Computers, and the Internet are subject to reasonable suspicion searches.
5. Nothing in this policy negates or detracts from any other policy of the Company authorizing searches in particular situations.

#### B. OCoreCivISIONS FOR SEARCHES

1. Entry/Exit Searches
  - a. Each CoreCivic facility will establish procedures for clearing entry and exit checkpoints consistent with CoreCivic Policy 9-20 Entry/Exit Procedures. All persons



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who seek entry to or exit from a secured CoreCivic facility must follow and satisfy these procedures. Refer to CoreCivic Policy 9-20 for facility-specific entry/exit procedures. **(4-4503)**

- b. All Company Property and Personal Property brought onto facility grounds or into or out of a secured CoreCivic facility may be searched.
  - c. When authorized by the Warden/Facility Administrator or Administrative Duty Officer (ADO) or pursuant to published entry and exit procedures, any person who seeks entry to or exit from a secured CoreCivic facility may be Frisk-Searched or subject to a Canine Search.
2. Random Searches
- a. An ADO-level staff member may authorize or direct a Random Search. A Random Search need not be based on Reasonable Suspicion and may be conducted with or without the use of detection canines. A Random Search may lead to a Reasonable Suspicion Search.
  - b. All persons, Company Property, and Personal Property on facility grounds may be subject to a Random Search.
3. Reasonable Suspicion Searches
- a. A Reasonable Suspicion Search of a particular person and/or his or her Personal Property or Company Property may be conducted with approval of a member of the ADO team.
  - b. A Reasonable Suspicion Search may consist of a Frisk Search and/or a detection Canine Search and/or a search of the person's Company Property or Personal Property.
  - c. Interviews of witnesses and discussions regarding circumstances that might support the decision to conduct a search pursuant to this policy should be conducted privately and only between or among those who have a business and security-related need to know.
  - d. The request to search a person or their property should be done with discretion and in a manner designed to minimize unnecessary embarrassment and humiliation to the individual while also protecting the security and safety needs of the facility.

#### C. NOTIFICATION AND CONSENT BEFORE SEARCH

Unless exigent circumstances prevent doing so, all persons will be notified before or at the time of either a Random Search or Reasonable Suspicion Search of their Personal Property.

- 1. Before subjecting any person to a Frisk Search, the individual must be notified of the intent to search and give oral or written consent to the search. In the event the search is consented to orally, the employee conducting the search will complete a 5-1C Incident Statement, or equivalent approved agency document, and forward it to the Chief of Security for review and retention in accordance with CoreCivic Policy 1-15 Retention of Records.
- 2. No physical force, threat of physical force, or any other form of intimidation may be used in connection with any search or request to search. If an individual is creating a situation that could jeopardize the safety or security of the facility, inmates/residents, or personnel, appropriate force may be used to restore safe conditions, but only to the extent necessary

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to accomplish this objective and not in connection with searches or an attempt to secure cooperation with a request for a search.

**D. REFUSAL TO CONSENT TO SEARCH**

1. Refusal to consent to a search will result in immediate removal from facility property, possible notification of local law enforcement authorities depending on the circumstances, and possible termination of employment or the contractual or volunteer relationship. The individual will be refused entry onto Company Property pending further investigation or disposition by the Company.
2. Facility staff members may not detain an individual against his or her will pending a search or the arrival of law enforcement authorities in an attempt to interrogate or interview the individual, or to obtain consent to a search under this Policy.

**E. OTHER RELATED ISSUES**

Employee/volunteer/contract staff polygraph or other lie detector tests, normally, will not be allowed. In exceptional circumstances, employee/volunteer/contract staff polygraph or other lie detector tests may be conducted, but only with the prior written consent and under the direction and supervision of the General Counsel (or designee).

**F. OUTCOME OF SEARCH**

If any search conducted pursuant to this policy reveals contraband, depending on the nature of the contraband, the Warden/Administrator; Vice President, Facility Operations; and, if applicable, local law enforcement should be notified.

**G. POSTING**

Each facility shall prominently post notice of the Company's right to search persons and their personal property pursuant to this policy.

**3-16.5 REVIEW:**

This policy will be reviewed annually by the Chief Corrections Officer or qualified designee.

**3-16.6 APPLICABILITY:**

All CoreCivic Facilities

**3-16.7 APPENDICES:**

None

**3-16.8 ATTACHMENTS:**

3-16A Locker Assignment Form

5-1C Incident Statement

**3-16.9 REFERENCES:**

CoreCivic Policy 1-8

CoreCivic Policy 1-15

CoreCivic Policy 9-11

CoreCivic Policy 9-20

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Employee Polygraph Protection Act.

American Correctional Association (ACA) Standards:

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4-4503/4/ALDF-5B-04